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9 -and-

10 SimmonsCooper LLC  
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15 UNITED STATES DISTRICT COURT  
16 NORTHERN DISTRICT OF CALIFORNIA  
17 SAN FRANCISCO DIVISION

18 IN RE: BEXTRA AND CELEBREX  
19 MARKETING SALES PRACTICES,  
20 AND PRODUCT LIABILITY  
21 LITIGATION

Case No. M:05-CV-01699-CRB

MDL NO. 1699

**STIPULATION AND ORDER OF DISMISSAL  
WITH PREJUDICE**

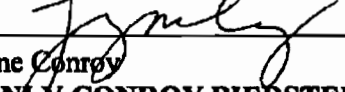
22 This Document Relates To:

23 *Carolyn Rock as Personal Representative*  
24 *of the Estate of Lucy May Sellars*  
25 *(deceased), et. al., vs. Pfizer, Inc.,*  
26 *MDL No. 06-7018: Plaintiff James Jr.*  
27 *Funderburk and Judy Funderburk*

28 Come now the Plaintiffs, James Jr. Funderburk and Judy Funderburk, and Defendant,  
Pfizer Inc., by and through the undersigned attorneys, pursuant to Federal Rule of Civil

1 Procedure, Rule 41(a), and hereby stipulate to the dismissal with prejudice of Plaintiffs, James  
2 Jr. Funderburk and Judy Funderburk's action only, with each side bearing its own attorneys'  
3 fees and costs.  
4

5  
6  
7 Dated: \_\_\_\_\_, 2009

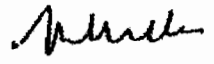
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*Counsel for Plaintiff.*

18  
19 Dated: March 11, 2009

By:   
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*Counsel for Defendant Pfizer, Inc.*

24 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,**  
25 **IT IS SO ORDERED.**

26  
27 Dated: MAR 30 , 2009

By:   
United States District Court